OUTLINE OF CIVIL GOVERNMENT

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C. D. HIGBY

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A GENERAL OUTLINE

OF

CIVIL GOVERNMENT

IN

THE UNITED STATES, THE STATES, COUNTIES, TOWNSHIPS, CITIES, AND TOWNS

BY

CLINTON D. HIGBY, PH.D.

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PREFACE

It is the aim of this little book to bring the subject of Civil Government within the reach of that large class of students who desire to complete their school-work in the shortest time possible.

There are many good text-books on the subject which require from two to three terms to complete; but the press of other important studies is so great that it is better to have a treatise which may be completed in a single term with perhaps but two recitations a week.

In making a book of this kind, the purpose has been to secure the greatest brevity with the least loss of the qualities of a good text-book. Much of the comment on different institutions is left to the teacher, who will know best how to economize time as the case of his class requires. The frequent mention of books for a further study of the subject will be of help to teachers.

The object in teaching is to get the student to do, and do well, the work in hand. With this in mind I

have endeavored to render the study as suggestive as possible for a work of such brevity.

More perhaps than the usual proportion of space has been given to local institutions. Every citizen should take an interest in public affairs; and it is believed that a knowledge of governmental institutions nearest home will induce him to begin in the exercise of such duty.

C. D. H.

ERIE, PA.,

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A GENERAL OUTLINE OF CIVIL GOVERNMENT

PART ONE

THE STATE

A State is a particular portion of mankind which acts as an organized unit in conducting public affairs, and which occupies a definite portion of the earth's surface as a territorial basis.

The Most Essential Principle of the state is its sovereignty.[1] An organization which includes every member of a given population is not a state unless it possesses sovereignty over the population. It is this original, absolute, unlimited, universal power over the individual subject that constitutes a state. In short, a state is a fixed people, able to establish and maintain a form of government. The ability to do this rests in the power of sovereignty.

The Bond of Statehood in ancient civilization was common blood and common faith; in the mediæval,

[1] Burgess's "Political Science and Constitutional Law," vol. i. p. 52.

personal allegiance; and in the modern, territorial allegiance.

The Forms of States are monarchies, aristocracies, and democracies. A monarchy is the sovereignty of a single person; an aristocracy, the sovereignty of the minority; a democracy, the sovereignty of the majority.

The Ends of the State are the organization of government and of liberty so as to give the highest possible power to the government consistent with the highest possible freedom in the individual; the advancement of civilization within the state; and finally the civilization of the world.

The History of the State begins with the family, that ancient group embracing all agnatic descendants, and all persons united to it by adoption, as well as guests, servants, and slaves.

The primitive family was governed by its patriarch; the confederated families, or clan, by the chosen patriarchal chief, whose council of peers was the beginning of the extension of citizenship beyond kinship. "As tribes grew into nations, by all the processes of natural and artificial increase, all distinction of blood relation faded away. . . . . Family governments and race governments became necessarily divorced — differentiated. The state continued to be conceived as a family; but the

headship of that vast and complex family ceased to be natural, and became *political*. . . . We can understand how custom crystallized about the primitive man; how in the case of the majority of mankind it preserved itself against all essential change; how with the favored minority of the race it was broken by war, altered by imperative circumstance, modified by imitation, and infringed by individual initiative; how change resulted in progress; and how at last kinsmen became fellow-citizens." [1]

GOVERNMENT

Government is that organization and exercise of power by which a state conducts its public affairs.

As to the Identity or Non-Identity with the state, governments are either immediate or representative: — immediate, as the government of England, when the state exercises the functions of government; representative, as the governments of France, Germany, and the United States, when the state vests the power of government in an organization more or less distinct from its own organization.

As to the Consolidation or Distribution of governmental power, governments are centralized or dual: — centralized, as the governments of France and Eng-

[1] Wilson's "The State," pp. 28 and 29.

land, when the state vests all the authority of government in a single organization; dual, as the governments of the United States and Germany, when the state distributes the powers of government between two classes of organs.

As to the Tenure of Office, governments are hereditary or elective:—hereditary, as the governments of England and Germany are in part, when the state confers the powers of government upon a person standing in a certain family relation to his immediate predecessors; elective, as are the governments of France and the United States, when the state confers the powers of government upon a person, or an organization of persons, chosen by the suffrage of other persons enfranchised by the state.

As to the Relation of the Legislature to the Executive, governments are presidential or parliamentary:—presidential, like the governments of Germany and the United States, when the state makes the executive independent of the legislature; parliamentary, like the governments of France and England, when the state confers upon the legislature the complete control of the administration of law.

The Tendency of the Time is to drift away from hereditary and completely centralized governments. The change takes place slowly within the state. Old sovereignties fail to provide the governments

demanded by the people, and new sovereignties are developed to fulfil the requirements. The changes are usually gradual and peaceful, though in some instances revolutions occur accompanied by war.

No absolute monarchy is found this side of Russia; and the English government is aristocratic more in form than in reality. The government of the future will quite probably be republican; i.e., representative democracy.

For further study see Wilson's "The State;" Burgess's "Political Science and Comparative Constitutional Law;" Woolsey's "Political Science;" Maine's "Early History of Institutions;" Bagehot's "Physics and Politics."

PART TWO

THE UNITED STATES AS A SOVEREIGN POWER

The United States is a republic composed of smaller republics. Originally the Union consisted of but thirteen States.

During the Colonial Period thirteen local governments existed on this side of the Atlantic as thirteen foreign adjuncts of the British state, and under control of the government of Great Britain. It is true that the physical and social conditions were working for the creation of a new state; but until the people-power took shape as the sovereign will, the motherland was the state.

A New Sovereignty was developed out of the geographic separation from the mother state, the comparative geographic unity of the colonies, and the ethnical and social condition of the colonists — three-fourths of them being of common descent, and having an almost complete identity of interests.

The Continental Congress was the first proclamation to the world of the existence of a new state. By

this proclamation the people testified that they had become, in the progress of the development of history, one whole, separate, and adult nation, and a national state; and that they were determined to defend this national status against the supremacy of a foreign state; which supremacy had lost both right and reason of existence.

The Articles of Confederation were defective as a constitution of a sovereign state. The Continental Congress represented the newly formed American state; but in its failure to establish an efficient central government, the Articles of Confederation fell short of a complete constitution which could legally express the sovereign command. The people-power had become sovereign; but it was not yet vested in an organized government, and remained in its subjective condition merely as a consciousness of sovereignty until set forth ten years later in the Constitution of the United States.

GOVERNMENT OF THE UNITED STATES

The Government of the United States, though usually defined as a dual form of government, is in reality a single government composed of two systems; the national government, as outlined and established by the Constitution of the United

States, and the local governments of the several States are determined by the people of each State. Thus, a citizen of any State is governed in part by his State and in part by the nation, and wholly by the two systems acting together as a governing unit. Neither system overlaps the other, and neither is supreme to the other; but both are so defined and set forth by the sovereign power that collisions cannot occur. The two systems make a well-regulated whole; the national government performing that which belongs more closely to national and international affairs, and the local governments that which belongs more closely to local and domestic affairs.

The Powers of the National Government are derived from the people of the States, and were granted by the adoption of the Constitution of the United States "to form a more perfect union; to establish justice; to insure domestic tranquillity; to provide for the common defence; to promote the general welfare; and to secure the blessings of liberty" to the citizens of the States and to their posterity.

The Constitution of the United States vests the national government in three co-ordinate bodies, the legislative, the judicial, and the executive, which act independently of each other as far as practicable.

For the early history of the nation see Fiske's "The Critical Period of American History," 1888; Jameson's "Essays on the Constitutional History of the United States in the Formative Period," 1889; Frothingham's "Rise of the Republic of the United States," 1882; A. B. Hart's "Formation of the Union," 1763–1829, in the series, "Epochs of American History."

THE DEPARTMENTS OF GOVERNMENT

EXECUTIVE DEPARTMENT

The Executive Department applies and enforces the laws after they are made and interpreted, and consists of the President, as Chief Executive, and the officers of such departments and commissions as Congress has created from time to time to assist the President in performing the executive functions of the nation.

The Election of President and Vice-President occurs once in four years. Before the general election each political party fixes on a convenient time and place for its National Convention, which usually consists of twice as many delegates from all the States and Territories as the Congress of the United States has members. At their respective conventions the different parties nominate one person for President and one for Vice-President, who must be native-born citizens thirty-five years of age, and not both from the same State.

On general election day, which occurs the Tuesday next after the first Monday in November, instead of voting directly for the candidates of their choice, the qualified voters of each State vote for as many electors as their State has Senators and Representatives in Congress.

The electors thus chosen meet in their respective States on the second Monday of January, and vote by ballot for President and Vice-President. Three lists of the persons voted for, and the number of votes received by each, are certified to and signed by all the electors, and sealed. One list is deposited with the United States district court judge of the district in which the electors meet; the other two are sent by the secretary of the State to the president of the United States Senate, one by mail and one by messenger.

On the second Wednesday of February the lists from the several States are opened by the president of the Senate in the presence of the two Houses of Congress, and the votes are counted. The candidates receiving the highest number of votes are declared duly elected.

In case no candidate for President has a majority, from the three receiving the highest number of votes the House of Representatives chooses by ballot a President; and as to Vice-President in such

a case, the Senate proceeds to choose from the two highest on the list.

On the 4th of March the President and Vice-President elect are inaugurated.

The annual salary of the President is $75,000; of the Vice-President, $12,000.

In Case of Removal, death, resignation, or disability of both the President and Vice-President, the office of President is to be filled *ad interim* by the members of the Cabinet in the following order: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney General, Postmaster General, Secretary of the Navy, and Secretary of the Interior.

None of these can act, however, unless he has the qualifications of a President.

The Duties of the President are to see that the laws of the nation are faithfully executed; to act as commander-in-chief of the army and navy of the United States, and of the militia of the several States when in actual service of the United States; to regulate the foreign relations of the country, receiving foreign ministers, and making treaties, with the assent of two-thirds of the Senate; to appoint and commission all officers of the federal government; and, from time to time, to give to Congress information of the state of the Union,

and recommend to its consideration such measures as he thinks necessary and expedient, — which it is customary to do by message to each Congress. The President may convene Congress in extra session in case of urgent business.

The Vice-President becomes President if for any reason the President does not occupy the chief executive office. Until such event happens the Vice-President is president of the Senate. He presides over its sessions, administering whatever rules it adopts, but has no vote unless the votes of the Senators are equally divided, and his vote is necessary for a decision.

The Executive Functions of the federal government are committed to nine departments and three commissions established by Congress, which are, with date of creation:

The Department of State	July 27, 1789
The Department of War	August 7, 1789
The Treasury Department	September 2, 1789
The Post-Office Department	September 22, 1789
The Navy Department	April 30, 1798
The Interior Department	March 3, 1849
The Department of Agriculture	February 9, 1889
The Department of Justice	June 22, 1870
The Department of Labor	June 13, 1888
The Fish Commission	February 9, 1871
The Civil Service Commission	January 16, 1883
The Inter-State Commerce Commission,	Feb. 4, 1887

The heads of the first eight departments are Secretaries, except the Postmaster General and the Attorney General, and form the President's Cabinet, a council which meets regularly with him to discuss the affairs of government. The head of the Department of Labor is not a Cabinet officer, not having been made a Secretary.

The members of the Cabinet are in political accord with the President, by whom they are appointed, and to whom alone they are responsible for their political conduct.

Each Cabinet officer receives an annual salary of $12,000; the seven members of the Inter-State Commerce Commission, each $10,000; the three Civil Service Commissioners, each $4,000, with $500 added for the chairman of the Commission; the Librarian of Congress, $6,000; the Public Printer, $5,500; and the Spanish Treaty Claims Commissioners, each $5,000.

The Organization of the Different Departments is much the same. The Secretaries have from one to four assistant secretaries as the business may require; the departments are divided into bureaus, the bureaus into divisions, and the divisions into rooms. There is a chief officer over each bureau, division, and room; and the responsibility is in the order of clerk to chief of the division, chief of the division to his commissioner, commissioner to the

Secretary, and Secretary to Congress. The President appoints only the Secretaries, assistant secretaries, and commissioners; the remaining officers are either appointed upon the recommendation of Congressmen, or are under control of the Civil Service Commission.

The Department of State exercises the diplomatic functions of the government. The Secretary of State acts as minister of foreign affairs, and has the custody of the seal, the laws, and other official documents of the nation. He is empowered to communicate with other governments in the name of the President, and to correspond with the official representatives in foreign countries, and issue instructions for their guidance.

American ministers abroad represent the nation in a political capacity, and cannot engage in any other business of the government. Ministers are of three grades, envoys extraordinary and ministers plenipotentiary, ministers resident, and *chargés d' affaires*. The United States has ministers in thirty-five countries, with salaries varying from $4,000 to $17,500.

American consuls abroad represent the commercial interests of the United States. They are of three grades: consuls-general, consuls, and consular agents, of whom 180 are salaried, the rest receiving fees.

The Department of the Treasury collects the public revenues, places the money in safe keeping, and pays it out as appropriated by Congress, audits the accounts of all the departments, supervises and regulates the national banks and the currency of the United States, coins the money of the nation, collects industrial and other statistics, and conducts the printing incident to the department. The Secretary submits annually to Congress estimates of the probable revenues and disbursements of the government, prepares plans for the improvement of the revenue and for the maintenance of the public credit.

The Department of War has charge of the military forces of the nation, the army records, and the survey of public harbors. Explorations and public improvements are under the direction of this department.

The Department of the Navy has charge of the naval forces of the government, issues nautical charts for navigators, publishes nautical books, and has charge of the Naval Observatory at Washington, and the Naval School at Annapolis, Md.

The Department of the Interior has charge of home affairs, such as the taking of the census, the management of public lands, the dealings with the Indians, the paying of pensions, the issuing and

recording of patents, the educational interests of the nation, the scientific investigations of the government, the sanitary dealings with pestilence, and the keeping and distribution of public documents.

The disability pension law of June 27, 1890, was characterized by Speaker Reed of the House to be "the most generous piece of pension legislation ever passed by any nation on earth." It immediately increased the expenditure for pensions one-fourth, and promises to more than double it. The payment of pensions for 1909 amounted to $161,973,703.

There were 33,514 patents issued to citizens of the United States in 1908, and 3,338 to foreigners.

The Department of Justice is presided over by the Attorney General, whose duty it is to furnish all legal advice needed by the federal authorities, and conduct all litigation in which the United States may be concerned. It is also his duty to recommend persons to fill the places of judges of the United States circuit and district courts.

The Post-office Department is under the supervision of the Postmaster General. He awards postal contracts, directs routes for mails, negotiates postal treaties, and appoints for a term of no specified limit all fourth-class postmasters — those whose salaries do not exceed $250 for any quarter.

The first, second, and third-class postmasters, who numbered at the close of the fiscal year, June 30, 1909, 7200, are appointed by the President, with and by the advice and consent of the Senate, and receive fixed salaries. The fourth-class offices numbered at the close of the same fiscal year 52,944, and the postmasters receive as salaries all the box-rents, commissions on stamps cancelled on matter actually mailed at their offices, and on amounts received from the sale of waste paper, twine, etc.

The Department of Agriculture has charge of the agricultural interests of the country. It is the duty of this department to collect information, make scientific investigations, distribute seeds, and further in every way the advancement of agriculture. By the act of March 2, 1887, Congress appropriated $15,000 annually to each of the States and Territories which has established an agricultural college, or an agricultural department, for the support of experiment stations. This department has general oversight of such stations. Also of the Weather Bureau.

The Department of Labor is purely a statistical bureau. Its present work is confined to inquiries into industrial depressions, convict labor, strikes, railroad employees, working women in cities, and marriage and divorce.

The Inter-state Commerce Commission is a semi-judicial body for interpreting and enforcing federal statutes, forbidding unjust discriminations in railway rates in inter-state freight and passenger traffic, and prohibiting inequitable combinations in railroad management. This commission is rapidly becoming one of the most important courts in the United States.

The Civil Service Commission administers the law known as the "Pendleton Act," recommending, as representatives of the President, candidates for the lower grade of federal service on a basis of competitive examination. Of the three commissioners in charge of this commission, only two may be of the same political party.

Under the regulations of this commission are, "the nine executive departments at Washington, the Civil Service Commission itself, the customs districts, eleven in number, in each of which there are fifty or more employees, all post-offices in which there are fifty or more employees, and the Railway Mail Service; including altogether about 225,000 persons."

The Fish Commission investigates the food, habits, and enemies of fish; makes experiments as to the best methods for their capture, the best kinds of bait, apparatus, etc.; and collects statistics of fish

and fisheries. "Under its direction are hatched and liberated millions of young of the best food fishes in the various inland waters of the United States."

The Government Printing Office, under supervision of the Government Printer, does the printing and binding for the federal government, which consists of reports of each department, bureau, and division, and of the proceedings of Congress.

The Librarian of Congress has full control of the Congressional library. Two copies of every book, pamphlet, newspaper, photograph, etc., copyrighted in the United States, are required to be sent to the Congressional library. Large and valuable additions thus accrue. The library numbers 1,750,000 volumes. The number of publications registered for copyright each year has increased from 5,600 in 1870 to 117,001 in 1909, of which 29,055 were "books."

The Smithsonian Institution was founded in 1846 by Congress in devoting the gift of James Smithson to the United States to found at Washington an establishment for the increase and diffusion of knowledge among mankind.

JUDICIAL DEPARTMENT

The Judicial Department interprets and applies the laws of the nation, and consists of one Supreme Court, nine circuit courts, and sixty-four district courts.

The Supreme Court consists of a chief justice and eight associate justices, and holds one session annually, beginning the second Monday of October, and continuing till about May. Six judges constitute a quorum. Daily sessions, except Saturdays and Sundays, begin at twelve o'clock. On Saturday mornings the judges meet together and render decisions in the cases of the week, which are announced the following Monday. "Every case is discussed by the whole body twice over: once to ascertain the opinion of the majority, which is then directed to be set forth in a written judgment; then again when that written judgment, which one of the judges has prepared, is submitted for criticism and adoption as the judgment of the Court." [1]

In the early history of the Supreme Court few cases arose for decision. At the first term there was no business. In 1801 there were only ten cases on the docket, and for some years the average number of cases was twenty-four; in 1850 the average number of cases was seventy-one, while from 1875 to 1880 the average was three hundred and ninety-one per annum; and now there are more than a thousand cases awaiting a hearing, and the Court is so far behind in its work that it takes from three to four years for a case to come up for trial after

[1] Bryce's "The American Commonwealth," vol. i. p. 227.

having been entered upon the docket. At present there are heard about four hundred cases yearly.

The annual salary of the chief justice is $13,000, and of the associate justices, $12,500 each.

Circuit Courts. — The United States, not including the Territories, is divided into nine circuits; one justice of the Supreme Court is assigned to each of these circuits, which he visits after the expiration of the Supreme Court term. For each circuit is appointed one circuit court judge. The circuit court may be held by the circuit judge, the Supreme Court justice, or by the district judge of the district in which the circuit court is sitting.

Circuit judges appoint commissioners to aid in the arrest and examination of persons accused of offences against the United States.

By act of March 3d, 1891, each circuit is given an additional circuit judge, and in each circuit is established a circuit court of appeals, which consists of three judges, of whom two constitute a quorum. Any of the judges competent to sit as judges of the circuit court may also sit in the circuit court of appeals, except any justice or judge before whom a cause or question may have been tried.

The annual salary of a circuit judge is $7,000.

District Courts. — The circuits are divided into districts, at present eighty-two, and for each district

has been established a district court, presided over by a resident district judge, whose salary is $6,000.

In nearly every district the President appoints a federal district attorney, whose duty it is to prosecute criminal cases, and appear in all civil cases before the federal judges of his district, and a United States marshal, who acts as federal sheriff of any federal circuit or district court in the United States.

Federal Judges are appointed by the President, with and by the advice and consent of the Senate, to hold office during life. They may be removed only by impeachment.

The Jurisdiction of the federal courts is "upon questions arising under the Constitution, federal laws, or treaties between citizens of different States, between citizens and foreigners, between States themselves, etc., and all crimes punishable under the United States laws." A civil case, not involving questions of jurisdiction, in order to go from the district to the circuit court of appeals, must involve $500 or over; and to go to the Supreme Court, the court of last resort, must involve at least $5,000.

The Court of Claims consists of a chief justice and four judges, and has jurisdiction in matters of claims against the United States. This court has been established for the purpose of settling claims of pri-

vate persons against the United States. A citizen of the United States does not possess the legal right to sue his government; but Congress has established this court, and generally makes appropriations to pay such claims as the court finds worthy.

There is also a United States Court of Private Land Claims, consisting of a chief justice and four justices.

The Territorial Courts and the courts of the District of Columbia, established and acting under authority from Congress, administer the United States laws, and are federal courts.

The United States Laws are the federal Constitution, the federal statutes and treaties, the State constitutions, and the State statutes. In case of conflict, they give way in the inverse order; not that there is a difference in rank, for all power is from the people and therefore co-ordinate, but because of antecedent limitation.

LEGISLATIVE DEPARTMENT

The Legislative Department consists of a Congress, made up of a Senate, which represents the States, and a House of Representatives, which represents the people.

The Senate consists of two representatives from each State, elected for a term of six years by the

legislatures of the several States. One-third of the Senate is elected every two years.

A Senator must have been a citizen of the United States nine years, must be thirty years of age, and a citizen of the State he represents. His annual salary is $7,500, with $125 for postage, stationery, and newspapers, and twenty cents a mile for travel to and from each session of Congress.

A Vacancy in the Senate, in case the vacancy occurs during a recess in the State legislature, is filled by the governor of the State until the State legislature meets.

The Officers of the Senate are a president (who is the Vice-President of the United States); a president *pro tempore*, chosen from among the members; and a secretary, a sergeant-at-arms, a chaplain, a postmaster, a librarian, and a doorkeeper, chosen by the Senate, but none of whom are members of the Senate.

The Standing Committees of the Senate are an important part of its organization. To each committee is intrusted the preparation of a certain part of the business of the Senate. The Committees look into the history and particulars of matters before them, and report to the Senate what they think ought to be done. This enables the Senate to give to matters before it a more complete in-

vestigation, and to secure the advantage of submitting the subjects to members who are specially fitted by study and service to decide upon them. Thus, there is a Committee on Finance, to which questions affecting the revenue are referred; a Committee on Appropriations, which advises the Senate as to the spending of the public money; a Committee on Railroads, which considers all railroad questions; etc., etc.

The Business of the Senate is legislative, judicial, and executive. Its executive functions are to approve or disapprove the President's nomination of federal officers, including federal judges, ministers, and consuls, and to approve of treaties, which must be done by a majority of two-thirds of the Senators present. Its judicial function is to sit as a court for the trial of any impeachments preferred by the House of Representatives. Its legislative functions are exercised in connection with the House of Representatives.

The House of Representatives is elected anew every two years, in most States on the Tuesday next after the first Monday in November, by the voters of the several States who are qualified under the constitution and laws of their States to vote for members of the lower of the two houses of the State legislature.

A Representative must have been a citizen of the United States seven years, be twenty-five years of age, and an inhabitant of the State in which he is elected. The salary of a Representative is the same as that of a Senator.

The Number of Representatives is fixed by act of Congress. Every ten years Congress re-apportions the representation on the basis of population as determined by the decennial census. The first House was made up of sixty-five members in the proportion of one to every 30,000 inhabitants, as fixed by the Constitution; but as the population has increased, the proportion of necessity has decreased. From 1901 until the next apportionment the proportion will be one Representative to every 194,182 inhabitants or major fractional part thereof, during which time the House will consist of 391 members. No State, however few its inhabitants, is without one member in the House.

A Vacancy in the House is filled by special election called by the governor of the State that has been deprived of its full representation.

The Officers of the House consist of a Speaker, who is a member of the House, and a clerk, a sergeant-at arms, a doorkeeper, a postmaster, and a chaplain, chosen by the House, but who are not members of it.

The Speaker presides over the House, and also appoints the committees. This gives him more than the ordinary influence of a Representative over legislation.

The Committees of the House are even more important than the committees of the Senate. The House is too large to do much debating, and must be guided to a great extent by its committees. "It rules through and by its committees; and the whole House does little more than register by its votes the conclusions which the committees submit. One subject alone, taxation and appropriation, receives genuine discussion by the House at large." [1] There are sixty committees of the House. The most important ones are, Ways and Means, Elections, Appropriations, Judiciary, Foreign Affairs, Manufactures, Commerce, Banking and Currency, Labor, Education, and Agriculture.

Each House of Congress is judge of the elections, qualifications, and returns of its own members, makes its own rules, and keeps a journal of its proceedings which it publishes from time to time, except such parts as for reasons of public policy require secrecy.

Each Congress continues two years and has two sessions. The long session begins the first Mon-

[1] Bryce's "The American Commonwealth," vol. i. p. 132.

day of December in the odd year and continues until adjourned by vote of the two Houses; the short session begins the first Monday of December in the even year, and continues until noon of March 4th following. The daily sessions of both Houses begin at noon and usually continue four or five hours; towards the end of the session, however, the work is often continued until late in the night.

Laws are Made by the joint action of the Senate and House of Representatives. The usual way a bill becomes a law is to pass both Houses and receive the signature of the President, who has ten days, Sundays excepted, in which to sign a bill. If he returns it to the House in which it originated, with a statement of his reasons for not signing it, the bill has received his veto, and it must then pass both Houses by a two-thirds vote to become a law. If a bill is kept by the President longer than the time allowed, it becomes a law without his signature, unless its return is prevented by the adjournment of Congress. When Congress is about to adjourn, the President may veto bills by taking no action whatever on them. This, of course, can be done only within the President's time for action on them, and is popularly called a "pocket veto."

A Bill may originate in either House, unless it be a bill relating to the raising of revenue, which must

originate in the House of Representatives, but may be amended by the Senate. Any citizen of the United States may originate a bill and send it to a member of Congress for the action of that body.

The Details in the passage of a bill are: its introduction by a member of the House of Representatives, let us say; its reference to the proper committee by the Speaker; its delivery by the member to the clerk of the House, who hands it to the clerk of the committee; its consideration by the committee, which meets in a separate room, debates, investigates, and very often hears outside persons on the subject matter of the bill; its report to the House by the committee; its printing, as reported, for distribution among the members; its reading three times by the clerk on three separate days, or, if unanimously ordered by the House, on one day; its debate and amendment after second reading, and engrossment by the clerk as amended; its third reading followed by a vote of the House; its report to the Senate by the clerk, who formally announces that the bill has passed the House, and that the concurrence of the Senate is desired; its reference by the president of the Senate to the committee having such bills in charge; its due consideration by that committee, and report to the Senate; its reading twice on different days by the secretary; its debate

after second reading, at which time the Senate may amend the bill either by adding to or taking from it; its passage after third reading with any additions engrossed; its report by the secretary of the Senate, back to the House, where, if the bill has been amended by the Senate, the amendments are debated and may be adopted by a majority vote; its report, after the clerk of the House informs the Senate of the passage of the amendments, to the Committee on Enrolled Bills, who cause the bill to be accurately written in large script on parchment; its signing by the speaker, who informs the House of his official act; its report again by the clerk to the Senate, where he declares that the speaker has signed the bill; its signing by the president of the Senate, who announces the act to the Senate; its report back to the Committee on Enrolled Bills, who, in the end, carry it to the President of the United States for his signature. If he approves the bill, he signs it, and sends his private secretary to the House to announce the fact. The President then carries the bill in person to the Secretary of State, who deposits it among the archives of the Department after he has copies of it printed by the public printer. Thus the bill has become a law. Bills originating in the Senate pass through the same course, the Senate taking the initiative in every step. It should be

mentioned that if the Senate and House disagree upon the details of a pending bill, and each branch *insists*, it is in order to hold a conference by committees representing the two legislative branches, and so arrive at some compromise that will be mutually satisfactory.

For special study of the federal Constitution, see Cooley's "General Principles of Constitutional Law and Constitutional Limitations;" Story's "Commentaries on the Constitution;" "The Constitutional History of the United States as seen in the Development of American Law," by Judge Cooley and others, edited by H. W. Rodgers; C. G. Tiedman's "The Unwritten Constitution of the United States."

For the practical workings of Congress, see Bryce's "The American Commonwealth;" Wilson's "Congressional Government;" Lowell's "Essays on Government."

PART THREE

THE STATES

The States are self-directing, constituent members of the Union, and consist of administrative divisions, — counties and townships, cities, and towns.

The Administrative Divisions bear a different relation to the State than the States bear to the Union. The States are subordinate to the Union in political rank, but the powers of the State are not derived from the Union. The people are the source of State-power; and they grant or withhold it in adopting the constitution of the State. The administrative divisions of a State are local agencies which perform special functions of State government, yet possess, under control of the State, independent organisms, elect their own officers, and conduct their own business.

In Adopting the Constitution of the United States, or being admitted under it, the States gave to the nation the power to lay and collect taxes, duties, imposts, and excises; to borrow money; to regulate commerce; to make treaties; to establish a uniform rule

of naturalization and uniform laws of bankruptcy; to coin money and fix the value thereof, and fix the standard of weights and measures; to punish counterfeiting; to establish post-offices and mail-routes; to grant patents to authors and inventors; to constitute tribunals inferior to the Supreme Court; to define and punish piracies on the high seas, and offences against the laws of nations; to declare war and carry it on; to raise and support armies; to provide and maintain a navy; to control the land and naval forces; to call out the militia in certain cases; to organize, arm, and discipline the militia.

Besides the Powers Granted exclusively to the nation, some powers are withheld from the States by the Constitution: No State shall pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility; nor, without the consent of Congress, keep troops or ships of war in time of peace, enter into any agreement or contract with another State or foreign power, engage in war unless actually invaded or in such imminent danger as will not admit of delay.

The Citizens of a State are governed by the State and Nation acting as a governing unit. The Nation performs only such functions of government as relate to the collective interests of the people. All other functions of government are performed by the State.

All the Powers of Government, except the powers embraced in the Constitution of the United States and those withheld from the States, still remain in the States. "All the civil and religious rights of our citizens," says Mr. Woodrow Wilson, "depend upon State legislation; the education of the people is in the care of the States: with them rests the regulation of suffrage; they prescribe the rules of marriage, the legal relations of husband and wife, of parent and child; they determine the powers of masters over servants and the whole law of principal and agent, which is so vital to all business transactions; they regulate partnership, debt and credit, insurance; they constitute all corporations, both private and municipal, except such as specially fulfil the financial or other special functions of the federal government; they control the possession, distribution, and use of property, the exercise of trades, and all contract relations; and they formulate and administer all criminal law, except only that which concerns crimes committed against the United States on the high seas, or against the law of nations."

Each State has its —

Constitution, a body of organic law, made directly by the people without the intervention of the legislature.

Executive, consisting of Governor and various other officials.

Legislature, made up of Senate and House of Representatives, in six States called the Assembly, and in three the House of Delegates.

System of local government in counties, townships, cities, and towns, which corporations of local government may be granted or refused as the State pleases.

System of State and local taxation.

Debts, which it may, and sometimes does, repudiate.

Body of private law, including the whole law of real and personal property, of contracts, of torts, and of family relations.

Courts, from which no appeal lies to any federal court, except in cases touching federal legislation or the federal constitution.

System of procedure, civil and criminal.

Citizenship, which may admit persons to be citizens at times, or on conditions wholly different from those prescribed by other States. A man gains citizenship of the United States by becoming a citizen of some particular State.

The Different States possess nearly uniform central governments; and each State conducts its business of government in three separate, yet co-

ordinate, departments, — the legislative, the judicial, and the executive.

All the States have Governors, Secretaries of State, and Treasurers; nearly all have Lieutenant-Governors, Attorneys-General, Auditors, and Superintendents of Public Instruction. Massachusetts, Maine, and New Hampshire have advisory councils with their Governors. Some States have Comptrollers, Secretaries of Internal Affairs, Boards of Education, Boards of Health, Boards of Charities and Corrections, Boards of Immigration, Insurance Commissioners, Railroad Commissioners, etc.

The Executive Department of the State is the least distinct of its departments. The executive power is not centralized in the Governor, nor is it confined to the Governor and other State officials, but it is diffused throughout the local organs of government.

The State Executives are elected in most States on general election day for a term of years; usually two or four years; in New Jersey and Oklahoma for three years, and in Massachusetts and Rhode Island for one year only. The qualifications vary in the different States; but consist generally of citizenship for from two to twenty years, residence within the State for from one to ten years, and age of from twenty-five to thirty. The annual sala-

ries also vary; in Vermont, Nebraska, and Wyoming executives receive but $2,500, while in Illinois $12,000 is the annual salary. In other States the salaries vary between these limits.

The Other State Officials are usually elected by the people; in some States some are appointed and some are chosen by the legislature. In most States their term of office is the same as that of the Governor, but some enjoy a longer term. The qualifications vary widely; in most States, however, they are simply the qualifications required of a voter.

The Duties of a Governor are to see that the laws of the State are faithfully executed; to act as commander-in-chief of the militia, — and he may call out the militia to execute the laws, suppress insurrections, or repel invasions; — to appoint with the consent of the Senate notaries public, and such State officers as are not elected by the people or chosen by the legislature, and officers to fill vacancies till an election can be held; to commission all officers he appoints; to communicate by message to each session of the legislature; usually to sign or veto bills of legislation; and to exercise the clemency of the State in granting pardons, reprieves, and commutations.

In Pennsylvania a Board of Pardons, consisting of the Lieutenant-Governor, Secretary of the Common-

wealth, Attorney-General, and Secretary of the Internal Affairs, or any three of them, after a full hearing, must recommend a case to the Governor before he may exercise the clemency of the Commonwealth.

The Lieutenant-Governor presides in the Senate, and acts as Governor of the State in case of resignation, disability, or death of the Governor. In States which have no Lieutenant-Governor, the president of the Senate usually succeeds if the Governor dies or becomes incapable.

The Secretary of State represents the State in all official communications; registers the official acts of the Governor; enrolls and publishes the laws of the State; draws commissions issued to public officers; keeps official bonds; records State titles to property; affixes, when authorized, the seal of the Commonwealth.

The State Treasurer receives and receipts for all moneys paid into the State treasury, and pays all warrants drawn by the proper officers upon appropriations made by law.

The Attorney-General furnishes legal advice to the legislature and the executive officers in matters pertaining to their official duties; and represents the State in suits at law; and if called upon, aids district attorneys in prosecuting offences against the State.

The State Auditor examines the accounts of the State, draws warrants upon the Treasurer when properly authorized, computes the rate of State tax, and makes such annual reports as furnish information of the financial condition of the State.

The Superintendent of Public Instruction or the State Board of Education has general supervision and control of the public educational interests of the State. He meets and counsels with city and county superintendents; exercises a thorough inspection of the schools throughout the State; and in most States has the appointment and general management of teachers' institutes. He also reports to the legislature the condition and needs of the schools, and recommends such measures for their improvement as he deems advisable.

Other State Officers exercise important special functions, determined generally by the industrial features of the State.

Railroad Commissioners regulate the intercourse between the railroads and the public, preventing the charge of extortionate rates, discrimination in furnishing cars, and the neglect to provide reasonable facilities.

Insurance Commissioners protect the people from unreliable insurance companies by withholding or revoking the certificate of authority granted to such

companies as satisfy the commissioner that their methods of insurance and financial condition are reliable.

Fish Commissioners stock the waters of the State with food fishes, and have general care over the piscatory interests of the State.

Labor Commissioners examine into the industrial affairs of the State, such as the hours and wages of labor, the employment of children in factories, and into the industrial rights and duties of the individual and of the State.

The State Printer has charge of the printing of the public documents of the State.

The State Librarian acts in charge of the State library under prescribed rules.

Other commissioners and numerous boards exist in different States with appropriate duties.

The Judicial Department consists of a series of State courts independent of the federal courts, and in no way affected by federal law except by limitation. Appeals lie from the State courts only in cases involving federal law, or where the character of the parties to the suit does not give the State court complete jurisdiction.

Each State recognizes the judgments of the courts of other States, gives credit to their public acts and records, and delivers up to justice, on demand of the

executive, fugitives from their jurisdiction charged with crime.

The Laws of the State consist of the Constitution, statutes, and treaties of the United States, and the constitution and statutes of the State, together with that body of common law adopted by the State.

The laws of the United States have full force in all the States; and though their source is from a political body higher in rank than the State, yet to the citizen they are of the same force, and may be considered integral parts of the law of the State. United States law and State law do not conflict when neither State nor nation has gone beyond its jurisdiction.

The Courts of the State are the supreme court, the highest court; the superior courts, generally called circuit courts; and various local courts, such as county courts, municipal courts, courts of justices of the peace, and mayor's courts.

The Supreme Courts in most States have no original jurisdiction, but only hear appeals from lower State courts. Appeals are generally on questions of law; and for this reason there is usually no jury in the supreme court. If the appeal brings into question the evidence admitted in the lower court, a certified printed copy is furnished the supreme court.

In Maine, New Hampshire, Massachusetts, Rhode

Island, New York, and New Jersey, the supreme courts have original as well as appellate jurisdiction in all cases.

New York has a Court of Appeals which may examine cases from the supreme court; New Jersey, Louisiana, Illinois, and Kentucky have similar high courts above their supreme courts.

The Number of Supreme Judges of the different States varies from three in fifteen States to nine in New Jersey and Maryland. Thirteen States have five; Pennsylvania and six other States have seven; Kentucky, Michigan, Oregon, and West Virginia have four; and Maine has eight.

The Chief Justice is usually determined by election; in three States, however, the judges of the supreme court determine; and in Pennsylvania and eight other States the judge whose term expires first is chief-justice.

The Election of Supreme Judges in nearly all the States — New York, Pennsylvania, Ohio, and nearly all the Western and Southern States — is by the qualified voters; in some few States they are elected by the legislature; and in some, appointed by the Governor, subject to confirmation of the advisory council, the legislature, or one house thereof. In the New England States they are appointed by the Governor for life.

The tenure of office varies from two years in Vermont to twenty-one years in Pennsylvania. Life tenure, however, is enjoyed in four States. The average term is about ten years, with re-eligibility.

The salaries also vary. In Oregon, the lowest, it is $2,000; in New York, the highest, $17,500. Pennsylvania pays her chief-justice $10,500 and her associate-justices $10,000 each.

Usually the supreme court meets two or three times a year; in Massachusetts, Maryland, California, and Washington, its sitting is continuous; in Ohio and Alabama it convenes but once a year.

The qualifications of supreme judges are not stringent. Only six States require "learning in the law," and only about the same number require any identification with the legal profession; but through the influence of the bar it has become a custom to confine the choice to professional lawyers.

The Decisions of the Supreme Court are binding on the lower courts of the State. For this reason they are rendered in writing by the judges, and prepared with great care for publication by an officer called the reporter. Bound volumes of these reports are found in the library of every judge and practising lawyer.

Superior Courts hear appeals generally from all inferior courts, and are courts of high original jurisdiction in both civil and criminal cases. The districts

over which superior courts have jurisdiction often include a wide area, necessitating the sitting of each court in several places. This has given them the name of circuit courts; however, in many States they are called district courts.

In some States civil and criminal jurisdiction are separate in this grade. Thus, in New York there are circuit courts which hear civil causes and courts of oyer and terminer for the hearing of criminal cases.

The judges of the superior courts are generally elected by the qualified voters of the districts in which they sit, and have fixed annual salaries. But in New England they are appointed by the Governor for life.

County Courts hear appeals from justices of the peace, and exercise original jurisdiction one step higher than justices.

In New York, New Jersey, and Kentucky the county courts retain the English name of quarter sessions.

In Pennsylvania the courts of common pleas (courts of civil causes), and the courts of quarter sessions of the peace (courts of general criminal jurisdiction), though they sit in judicial districts comprising in some instances more than a single county, are usually called county courts. **The**

court of oyer and terminer and general jail delivery is a court of criminal jurisdiction for a higher grade of crimes than the quarter sessions, but is held at the same time and by the same judges.

The judges of county courts are also elected by the qualified voters of the counties or judicial districts in which they sit, and have fixed annual salaries. There are no county courts in the New England States except Probate Courts.

County court judges in Pennsylvania are elected for ten years, and receive an annual salary of $5,000 and upwards.

Municipal Courts are city courts, usually corresponding in rank and jurisdiction with county courts, though in many cities fully up to the grade of superior courts. They have original jurisdiction, and hear appeals from mayor's courts.

The court of a mayor is to a city what the court of a justice of the peace is to a county. There are no mayor's courts in New England.

Justices of the Peace are elected for a term of from two to five years in the several townships and boroughs, receive certain fixed fees, and have jurisdiction over all petty offences and over civil suits for small sums. They also conduct preliminary hearings in cases of grave criminal offence, committing the accused on *prima facie* proof of guilt,

for trial by a higher court. Justices of the Peace and special or trial justices are, like other judges, appointed in New England.

Probate Courts are special courts established in most States for the proper disposition of property of deceased persons. They have jurisdiction over the proof of wills and the administration of estates. In many States, however, these functions are performed by the ordinary courts of law.

In Pennsylvania and several other States this court is known as the Orphan's Court; in New York it is called the Surrogate's Court; in New Jersey, the Prerogative Court; and in Georgia, the Court of the Ordinary.

The Legislative Department in all the States consists of two houses. The upper and smaller branch is called the Senate; and the lower and more numerous branch, the House of Representatives.

In Pennsylvania and several other States this department is called the General Assembly.

The Legislature in most States meets biennially, and holds an average session of about sixty days. The tendency is toward a limitation of the number and the duration of the sessions.

In case of urgent business the Governor may call extra sessions.

The Senate usually consists of about one-third as

many members as the House. One Senator is chosen from each of the senatorial districts of the States. In most States the term of a Senator is four years, one-half of the Senate being renewed every two years; in New Jersey the term is three years with one-third of the Senate being renewed every year; in several States, two years, the same as the term of Representatives; and in Massachusetts and Rhode Island, only one year.

The House of Representatives represents the people of the State directly, and consists of Representatives, or Assemblymen, chosen generally from representative districts, which are more numerous than senatorial districts, and arranged with reference to local interests. Usually the term of a Representative is two years, during one session of the legislature.

The Number of Senators and Representatives is fixed in the districting of the State. The average number of Senators is about thirty; Pennsylvania and four other States each have fifty Senators, and Delaware has as few as nine.

The average number of Representatives is about one hundred and twenty. Pennsylvania has two hundred and four; four other States have a greater number; while fourteen States have less than one hundred, and Delaware only twenty.

The Qualifications vary in the different States, but not in any essential point. It is universally required that they be citizens, and generally that they be citizens of the States, and sometimes of the districts for which they are elected.

The age required for Senators varies from twenty-one years in eighteen States to thirty years in seven States. In Pennsylvania a Senator must be twenty-five years of age. Delaware is the only State now requiring a property qualification of her Senators, — 200 acres of freehold estate, or other estate worth $5,000.

Representatives in a majority of the States must be twenty-one years of age.

The Salaries are usually fixed by law, but are sometimes specified in the State Constitution. In nearly all the States, Senators and Representatives are paid by the day with mileage. The amount *per diem* varies from $1.00 in Rhode Island to $8.00 in California. The average is about $5.00. Eleven States, however, pay by the year or by the session; Maine, the lowest, $150 a year with 20 cents mileage; and Pennsylvania and New York, the highest, $1,500 a session, with 5 cents and 10 cents mileage, respectively.

Presiding officers of both houses usually have double the pay of members.

The Officers of the Two Houses consist of a president (who is the Lieutenant-Governor in most of the States) and a president *pro tempore* in the Senate, and a speaker in the House; and in each house, clerks, a sergeant-at-arms with assistants, a chaplain, and a number of pages appointed by the presiding officer.

The Standing Committees are an important feature in the organization of the legislature. The preparation of a certain part of the business of both houses is intrusted to its committees. After due consideration the committees report to either house what they think ought to be done with the business submitted to them.

The committees of both houses correspond closely. In Pennsylvania the Senate has thirty-one standing committees, the most important of which are: Judicial, Corporations, Appropriations, Railroads, Mines and Mining, Agriculture, Education, Public Buildings.

A Vacancy in Either House is usually filled by the Governor ordering a new election in the district in which it exists.

Each House chooses its own officers, makes its own rules, keeps a journal of its proceedings, and is judge of the election, return, and qualifications of its own members.

From the beginning of the State governments, there has been a desire on the part of the people to make laws for themselves in their own way. This principle is the foundation of our republican government, and has become stronger as time has gone by and the questions of State have passed from the general to the detail. The direct law-making as in the constitutions of the States, and in the exercise of power in local institutions, has kept this principle active. It is this contact of government and people which has educated voters in the past, and that promises to fit them for whatever may be required of them in the future. The Town Meeting is not only the source but the school of democracy.

This spirit, however, has developed a tendency in some parts of the country on the part of the people to take matters that ought to be left to legislation out of the hands of the legislature, thus lowering the standard of the law-making body.

For further study of State governments, see Jameson's "Introduction to the Constitutional and Political History of the States;" Bryce's "American Commonwealth;" Lodge's "Short History of English Colonies in America;" the series of "American Commonwealths" being published by Houghton,

Mifflin, & Co.; also Dole's "Talks about Law: a Popular Statement of What our Law is and How it is Administered."

FEDERAL TERRITORY

The Territory of the United States consists of the District of Columbia, the "federal home-plot," set apart by Maryland and held, absolutely, as a place of residence for federal officers and for the meeting of Congress; the arsenals and dock-yards, acquired from the States and held on condition, namely, that they be used for the military purposes of the nation; and the thinly populated sections of the national domain, known as Territories, held in trust for the nation, out of which new States may be formed.

The Territories are under the control of Congress. Their territorial governments are formed as soon as their population becomes numerous enough to require specific government.

The President appoints their governors and judges for a term of four years; and by their organization they have a legislature composed of a council, usually of thirteen members, and a house of representatives, chosen annually by the qualified voters.

A delegate to Congress represents the interests of the Territory, and may speak, but has no vote in Congress.

The United States law and the law made by the territorial legislature under Congressional authority prevail in the Territory.

Local matters in the Territories are conducted in the same manner as they are in the States, only the citizens of the Territory cannot vote in national elections, except to choose a delegate to Congress.

PART FOUR

COUNTIES

Counties are the largest territorial divisions within the State; and when established in Virginia, the primitive county organization of our country, were copied directly after English shires.

The County in the South is the unit of local organization, a subdivision of the State, and exercises all the functions of local government. The township, wherever it is organized, was created to maintain local control, especially of the public school system.

The New England County is constituted by the grouping of towns into larger units of local administration with general powers of local government subtracted from the towns. Excepting in Maine there are no "townships" in New England. Like the county of the South, the New England county was first established for judicial purposes as for Probate Courts; but in time it became more convenient for certain administrative functions, such as the laying out of roads, etc., once vested inclusively in the towns.

These Sections furnish the two distinct types of local organization. The Virginia type was closely followed in the Atlantic States south of Virginia, settled by the English. The intermediate States possess features of both sections, presenting a mixed type, or what is known as the township-county organization. In New York the township is rather more important than the county; in Pennsylvania the county ranks first.

The Three Eastern Types thus defined hold somewhat closely between their parallels westward, their differences diminishing among the newer States. New York and Pennsylvania present the best type of the local organization of the West.

Where Townships exist, usually the county undertakes no more than the local administration of justice, the maintenance of county buildings, the equalization of taxes, the granting of certain licenses, and the partial supervision of highways.

In Louisiana the area of local administration corresponding to counties in other States is called a parish.

The Officers of the County consist of two sets, the administrative and the judicial.

At the head of the administrative affairs is either a board of commissioners, as in Pennsylvania and most of the Middle and Southern States, or a board

of supervisors, usually one from each township, as in New York, Michigan, Wisconsin, and other Northern States, under whose general superintendence, yet responsible to their constituents, is usually a county treasurer, one or more auditors, overseers of the poor, a county surveyor, an officer in care of the public roads, when this duty is not performed by the county commissioners or township officers elected for that purpose, and a superintendent of schools, who in many States is considered quite apart from other officers of the county.

The officers in connection with the judicial affairs of the county are usually a county judge, sheriff, clerk, coroner, and district attorney, sometimes called State's attorney.

In some States, as in Pennsylvania, the duties of the clerk are divided, and performed by special officers, such as the recorder of deeds, register of wills, and prothonotary.

The County Commissioners, or board of supervisors, have charge of county roads and bridges, county buildings and other county property, the apportionment of taxes among the townships, and the care of the county poor. Through this board of officers the county exercises the usual corporate powers.

The County Treasurer receives and has charge of all moneys paid into the county treasury, such as

taxes, fines, and license fees, and is under bonds for the faithful performance of his duty. He pays out the money of the county when properly authorized by the commissioners, or by other officers as provided by law. In his office are preserved the financial records of the county.

The County Auditor examines the accounts of officers who have received and paid out the county's money, and publishes an annual report of the finances of the county.

The Overseers of The Poor are officers appointed or elected to take care of the poor of the county with money furnished them for that purpose by the county commissioners.

In Pennsylvania the county commissioners of some counties act as directors of the poor.

The County Surveyor has charge of the survey of all public improvements of the county, such as roads and lands for public buildings. He issues maps of the county, and frequently surveys disputed claims within the county. His field notes are usually preserved as records of the county.

The County Superintendent of Schools is elected in most States by the qualified voters; in Pennsylvania and Indiana, by the direction of the several townships in convention; in Virginia, Alabama, and Florida, appointed by the State superintendent; in

Mississippi and New Jersey, appointed by the State Board of Education; in Louisiana, North Carolina, Michigan, and Maryland, appointed by a county board of commissioners; in Ohio, Arkansas, and Tennessee, appointed by the county judge; and in Texas and Arizona, the county judge acts as county superintendent. In New York the counties are divided into commissioner districts, and in each is elected a school commissioner by popular vote. Town committees have charge of schools in New England. It is the duty of the county superintendent to examine and license teachers, to visit the schools and encourage the best methods of instruction and management, to hold teachers' meetings for the advancement of the profession, generally to promote the educational interests of the county, and to report annually to the State superintendent the condition of the schools within the county.

The County Judges hold courts in and for the county, which are of three classes: courts for the trial of civil causes, such as grow out of breaches of contracts; courts for the trial of criminal cases, such as are engaged in the trial of persons accused of crimes or misdemeanors against the peace of the State; and courts for the settlement of the estates of deceased persons.

The Sheriff is an ancient officer of the county,

and every county has its sheriff. It is his duty to preserve the peace, to attend court, and to execute all warrants, writs, or other processes directed to him by the courts, in any county in the State; but he may not execute them in another State without the consent of the governor of that State. He has charge of the county jail, and is responsible for the custody of the prisoners confined therein. It is also his duty in some States to issue proclamations of all elections.

The County Clerk is the recording officer of the county court. He issues many of the legal papers used in the trial of cases, and the seal of his office, when properly affixed, is proof of the genuineness of a legal paper. The record of the transfers of land, the registration of wills (not where there is a Probate Court), and the entry of liens against estates, are usually made in the office of the county clerk.

In Pennsylvania a recorder has charge of the copying of instruments of writing relating to real estate; a register performs certain duties in the administration of the estates of deceased persons; and a prothonotary keeps a record of the proceedings of the court of common pleas, issues all summonses and other processes for the commencement and continuance of civil actions, enters all

judgments and decrees, issues all executions for the enforcement of the judgments and decrees of that court.

The Coroner inquires into the cause of the death of persons who have died by violence, suddenly, or by means unknown, when the body is found. Notice of such a death is given to the coroner, whereupon he immediately proceeds to hold an inquest. A jury is summoned to attend the inquest, witnesses are examined, the facts are inquired into, and the jury give their opinion in writing of the cause and manner of death.

The coroner's inquest is important to society in bringing guilty persons to punishment and in protecting innocent persons from accusation. In some States the coroner performs the duties of sheriff in cases where the sheriff is personally interested, and in case of vacancy in the office of sheriff.

The District Attorney has charge in behalf of the State of all criminal prosecutions, and makes the formal charge of crimes committed, subject to the approval of the grand jury. It is also the duty of the district attorney to represent the county in civil actions to which it is a party, and to give legal advice to the county officials in matters pertaining to their official acts, if called upon to do

so. In general, it is the district attorney's duty to act for the county in all matters in which its legal interests are affected.

A few other minor county officers exist in some States, as in Pennsylvania two jury commissioners, who with the county judge and the sheriff draw the names of jurymen to serve in the courts of the county.

The Election of County Officers is generally by popular vote, and the term of office varies usually from one to three years. It is three years in Pennsylvania for all county officers; and in that State only two of the three commissioners and of the three auditors, and one of the two jury commissioners, can be elected on one ticket; i.e., be of the same political party; and no sheriff or treasurer can serve two successive terms.

It has become the settled principle throughout the States that all the officers of the county shall be elected by popular vote. To Pennsylvania belongs the credit of first putting into practice county democracy. In local government the democratic spirit is most active, and without doubt furnishes essential political training to the citizen.

TOWNSHIPS

The Township, or town as it is called in the New England States, is the local division within the county.

New England gave to the country the beginning of the township organization. The New England town, however, has no English prototype; it is from Holland. The primitive environment and the attitude of the Puritan settlers toward English institutions determined the nature of their local organizations.

"They planted their tiny communities," says Bryce, "along the seashore and the banks of rivers, enclosing them with stockades for protection against the warlike Indians. Each was obliged to be self-sufficing, because divided by rocks and woods from the others. Each had its common pasture, on which the inhabitants turned out their cattle, and which officers were elected to manage. Each was a religious as well as a body politic, gathered round the church as its centre; and the equality which prevailed in the congregation prevailed also in civil affairs, the whole community meeting under a president or moderator to discuss affairs of common interest." Nevertheless, the settlers of New England brought with them the talent and disposition for the form of local government they established.

In the New England Town the people govern themselves. Each town is a miniature commonwealth. Once a year, either in March or April, all the qualified voters, which is generally all the male

citizens of one-and-twenty and upwards (they are called together by town-warrant), meet in the town-house and discuss the administrative affairs, make the necessary appropriations, fix the tax-rate, and elect the town officers for the coming year. A representative board of selectmen, from three to nine in number, is chosen, which performs the executive functions of the town, and has the general management of public affairs. There is also elected a town clerk, who has charge of matters of town record; a town treasurer, who receives and takes care of the town money and pays it out for the necessary expenses; one or more constables, who act as executive officers for the selectmen and the local courts, and in some instances collect the taxes; three or more assessors, who place valuation upon all taxable property, and assist the selectmen in making out the tax-lists; three or more overseers of the poor to manage the almshouse, school committees, field-drivers, pound-keepers, fence-viewers, and several other minor officers.

All the Functions of Local Government belong to the New England town. The county has to do but with judicial and inter-town matters. The town is the fiscal area, and its officers collect the town, county, and State taxes; and, most important, it is the area of representation.

Thus we find the town of New England the most highly developed township organization of all the States and "the most complete democracy in the world."

The New York Township most closely resembles the town of New England. The local assemblies of the Dutch villagers were developed under English rule into town meetings, though with less ample powers than those of New England. Instead of the board of selectmen, there were a constable and eight overseers.

Since 1703 the townships have elected annually supervisors to "compute, ascertain, examine, oversee, and allow the contingent, public, and necessary charges of the country." For this purpose the board of supervisors meet once a year at the county seat. The New York supervisor system is of especial interest, as it was copied in Michigan and so extensively influenced the organization of local government in the North-west.

In Pennsylvania the township is secondary to the county in local affairs. However, it serves an important part in carrying out the details of local administration, and has local control of public education. The Pennsylvania township is the type of local organization in the belt of States south of Michigan, and quite generally in States where the township-county organization is established.

The Township of the South has even less to do with local affairs than the Pennsylvania township; the management of the local schools is its most important work. A tendency, however, exists to give to the township such functions as will perfect local government.

No attempt is made to bring into outline the details of township government. They are too diversified to admit of such a classification. For further study of the organs of local administration, the student is referred to Howard's "Local Constitutional History of the United States;" extra vol. iv. of "Johns Hopkins University Studies in Historical and Political Science."

CITIES

The Cities of the United States are municipal corporations created by the several States. Each State regulates the incorporation of its own cities. In the Atlantic States, except Pennsylvania and some others, this is done by special charter, giving to each city its own particular method. In others, including many of the Western States and also Pennsylvania, they are established by general laws, and the cities are graded into classes and subdivisions, each having its own political structure.

The Ancient City, in its origin, structure, and constitutional powers, is unlike the modern city. The cities of Greece antedated and established the Grecian States, and Rome was the nucleus and creator of the Roman Empire. The site of the ancient city was chosen for strategic, rather than commercial reasons; its structure was militant, rather than industrial; and its government was by military autocracy, rather than by popular suffrage.

Foreign Cities derive their charters from the national governments: the English municipal borough from the national Parliament; the German city from the Reichstag; and the French city from the National Assembly. Hence the cities of foreign countries are essentially uniform, with only local modifications to adapt them to local differences.

The Government of American Cities is remarkably uniform considering the innumerable variations in governmental machinery. Popular government is everywhere exercised, with a few immaterial exceptions. Key West, Pensacola, and perhaps some other cities of Florida, are governed by commissions appointed by the State; and our national capital is likewise governed by a commission appointed by Congress.

The Chief Executive Officer is usually termed the Mayor, and in most instances is elected by popu-

lar vote. In some cities, however, as in Jacksonville, Fla., the Mayor is chosen by the City Council. Sacramento, Cal., is governed by three trustees, one of whom is chosen annually for a term of three years; the first trustee is Mayor *ex officio*.

In many cities the city councils or aldermanic boards exercise executive as well as legislative functions, and leave to the Mayor little or no executive power at all; however, in very many cities the functions of government have become quite fully differentiated, and the Mayor is actually the chief executive officer.

With so great a variety of political structure as American cities possess may be found every grade of division of executive and legislative function, from the sharp line between the two functions, with the executive function wholly exercised by the Mayor, individually, or assisted by commissions appointed by him, to almost no division at all, with the Mayor a mere figure-head. As American cities become more decidedly integrated, the tendency is to lengthen the term of office for the Mayor, and to concentrate executive responsibility.

The Judicial Function is exercised in many cities by the Mayor and aldermen, who serve as justices of the peace or city judges. Cases go from these local courts to the properly constituted courts of law.

However, in some of the large cities there are complete sets of municipal courts. In Baltimore, for example, there are city courts from the lowest grade up to a "Supreme Bench of Baltimore City."

The Legislative Function is vested in a City Council elected by the qualified voters of the city from the different wards, and in the majority of cities, consists of a single chamber. New York, Chicago, and Cleveland are governed by a single legislative body. Philadelphia and St. Louis have two bodies. The same proportion exists in the ten largest cities. Of the twenty-eight American cities having more than 200,000 inhabitants, sixteen have one legislative body, and twelve have two; of the fifty-eight cities with over 100,000 inhabitants, thirty-three are governed by a single, and twenty-five by a dual system; of the 600 incorporated cities of more than 8,000 inhabitants, 410 employ the single, and 190 the system of two chambers; and the remaining cities of the 2,000 or more in the United States are almost without exception governed by but one legislative body.

New York and Brooklyn formerly had boards of assistant aldermen. New Orleans, Cincinnati, Cleveland, and other cities, once governed by two chambers, have abolished the second board. There is a marked tendency in recent years to simplify the legislative machinery in city governments.

The Control of Public Schools in nearly all cities is intrusted to a separate body, the School Committee, or Board of Public Education, sometimes appointed by the Mayor, and sometimes elected by the people, and usually possessing certain independent legislative and executive powers.

Commissions consisting usually of from three to five members, either elected by the City Council or appointed by the Mayor, divide the executive functions with the Mayor, and often have certain independent legislative powers within their special provinces. Thus, there are Street Commissions, Water Commissions, Fire Commissions, etc.

The Rapid Growth of American Cities has given great aggregates of population, but no genuine corporate individuality and life. The mechanical process of aggregation has outstripped the vital process of integration, and our urban populations, for the time being, are sufferers from the evils of this one-sided unsymmetrical development. "Our municipalities are like lank and overgrown youths, who have expended their vitality in simply growing, at the expense of grace, symmetry, and healthful, manly vigor."

In 1790 only one-thirtieth of the people of the United States lived in cities; now fully one-third of the entire population reside in urban commu-

nities. The proportion is greatest in the North and East, in the manufacturing and commercial centres, and least in the South, where agriculture is the dominant industry.

England has about 250 corporate boroughs. In the United States there are over 950 cities and towns with upward of 6,000 inhabitants; 500 contain more than 10,000 inhabitants. England has seventy-five cities with a population greater than 50,000; the United States has ninety-five. The ten largest cities in the United States contain a greater aggregate population than those of any other country in the world, surpassing those of England, whose ten largest cities are next in population.

The Faults of our City Government do not all lie in the governmental machinery. Many of our cities have cumbrous and expensive machinery of government, though often badly managed, and by incompetent officials; but the problems created by the rapid growth of American cities are in a large degree responsible for the enormous taxes and municipal debts. The haste required in order to provide improvements for a city that doubles in population during one decade, not infrequently causes waste. Plans must be changed, works enlarged, and systems got ready for use on so short notice that economy is out of the question.

The political connection of the city, in many instances, with the State, does not improve city government. What cities need is home government, on purely business principles, and to leave State and national politics out of their affairs.

The Tendencies indicate that "the future of the American city will be a natural growth; not an artificial creation; that it will adapt itself to the structure and genius of our democratic institutions; that it will reclaim the right of self-government, which was an original endowment of our local communities; that it will exercise this right in accordance with business principles, not as a mere annex to the machinery of national politics. It will simplify its methods by the abolition of supernumerary boards, commissions, and dual legislative bodies; it will abolish unnecessary elective offices, and clothe its executive with the full power of appointing the heads of municipal departments, thus making them directly responsible to the people. It will open up a career for those who are laudably ambitious to serve the city, by making permanent the tenure of subordinate positions, subject to removal for cause; while it will completely differentiate executive from legislative functions in our large cities, restoring to the government the full powers and responsibilities belonging to the trustees of a corporation. Such a

responsible government, resting upon the will of the people, inviting and receiving the free criticism and advice of the citizens in the ward or district councils, will be readily responsive to an enlightened public sentiment, and embody its will in a policy at once economical and progressive, worthy of the most advanced civilization of the age.[1]

For further study of cities, see Bryce's "The American Commonwealth;" Fiske's "Civil Government in the United States;" Ely's "Taxation in American States and Cities;" Low's "The Problem of City Government" (Johns Hopkins University Series).

TOWNS

The Smaller Urban Communities of the United States are known in different sections of the country by different names. In Pennsylvania, New Jersey, and Connecticut, inchoate cities are called "boroughs;" in New York, "incorporated villages;" in other States, "towns."

Town Government consists in the exercising of corporate privileges of the simplest character. Both legislative and executive functions are vested in a single representative body, a small board of

[1] The Problem of City Government in Man and the State: Brooklyn Ethical Association.

"trustees" or "burgesses," with a president or chief burgess at their head.

In Pennsylvania some boroughs of more than 15,000 inhabitants are still controlled by this simple governmental machinery. There are more than sixty towns, villages, and boroughs in the New England and other Eastern States, with population above 8,000, not yet incorporated as cities; while Kansas now contains no less than 362 incorporated cities, only sixteen of them having more than 5,000 inhabitants. Of these, 315 have less than 2,000 inhabitants, 266 have less than one thousand, and ten have less than 100. A western town that has acquired a population sufficient to demand corporate privileges of the simplest character, is so full of promise that it is made a city from the first.

It is, perhaps, impossible to suggest anything better for further study of town government than actual observation. An election day is a good opportunity to investigate the duties of the different officers.

THE AUSTRALIAN BALLOT

The Australian Ballot System of Voting has for its purpose the secrecy of the ballot and the prevention of intimidation and bribery.

The Ballots are printed at the expense of the

State, and are either a single sheet containing the names of all the candidates of all the parties, or as many sheets as there are parties.

The single sheet, or "blanket" ballot as it is often called, has two styles of arrangement. The names of the candidates are either arranged alphabetically, with party designation attached to each name, and a space against each name for marking the voter's choice, or they are arranged in party lists, all the Republicans in one list, all the Democrats in another, etc., with space against each name, or at the head of each group of names, in which the voter marks his choice. Besides the opportunity of choosing among the candidates of the different parties, each ballot also affords space where the voter can insert the name of any person he may prefer to the regular candidate.

The greater number of States adopting the Australian Ballot have followed with more or less variation in form the Australian plan of an alphabetical arrangement; however, a large number of States have adopted the party-grouping form of ballot. Two States, New York and New Jersey, have passed laws requiring each party ticket to be printed on a separate sheet.

The Polling-Places are enclosed, usually by a railing, and have an opening for entering and one for

leaving. Inside the railing are the election officers in charge of the ballots, the register of voters, and the ballot-box. A number of booths quite separated from one another stand at one side, each provided with a pencil and a convenient shelf on which to mark ballots, and in which are posted instructions to voters, and sometimes the laws governing the election. One ballot is nailed up outside the polling-place for the inspection of voters.

The Voter approaches the polling-place, taking his turn, and gives his name and residence. His name being found in the register, he is admitted and is given a ballot, which he takes into one of the booths, where he marks and folds it, and then stepping out, deposits it in the ballot-box, or hands it to the proper officer, who numbers it and places it in the ballot-box. The voter's name is then marked off the register, and he passes out.

From the time the voter enters the polling-place until he passes out no person is allowed to interfere with him or instruct him in any way, except in case of the voter's total inability to prepare his ballot, and then only under the strict provisions of the law.

Massachusetts was the first State to adopt in 1888 the Australian Ballot. Since then nearly all

the States have passed ballot laws based more or less on the Australian System.

MONEY

Money is a medium of exchange. It is what all persons who have it pay debts with and buy things with. It passes freely from hand to hand without regard to the credit of the person who offers it.

Besides current money, checks, drafts, and other forms of credit perform an important part in business transactions in settling obligations between those who are known to each other to be reliable. The large number of banks and the clearing-house system have brought the check and the draft into such extensive use that 95 per cent of the business of the country is said to be done by use of "private money."

United States Money consists of —

1. Gold coin and gold certificates. The gold coins are, the eagle, $10.00 piece; the double eagle, $20.00 piece; the half eagle, $5.00 piece; and the quarter eagle, $2.50 piece. The coinage of the $3.00 piece and the $1.00 piece was discontinued in 1890. Gold bullion in bars and blocks is used in foreign trade, because gold in this form is more convenient to ship than when coined. Gold certificates are a

form of paper money which certifies that an equivalent amount of gold has been deposited with the Treasurer of the United States, and the holder of the certificate may have the gold for it at any time.

2. Silver dollars and silver certificates. The silver certificates are similar to gold certificates; they certify that an equivalent amount of silver has been deposited in the Treasury, and may be had instead of the certificate at any time.

3. Subsidiary coins and minor coins. The subsidiary coins are, the fifty cent piece, the twenty-five cent piece, and the ten cent piece, — silver coins with a nominal value greater than their intrinsic value, which are legal tender to the amount of $10.00. The minor coins are, the five cent nickel piece, and the two cent and the one cent bronze pieces, which are legal tender to the amount of twenty-five cents.

4. United States notes, called greenbacks, which were issued to the amount of $150,000,000 by Act of February 25, 1862, and subsequently increased to $400,000,000. At first they were irredeemable, but were made redeemable by the resumption of specie payments in 1879. One hundred million dollars in gold is kept in the Treasury for their redemption.

5. Currency certificates, which were issued by Act of June 8, 1872, "for the better security of bank reserves, and to facilitate bank clearing-house exchanges." Only a small amount of these certificates are in circulation.

6. Treasury notes, which are issued by Act of July 14, 1890, authorizing the Secretary of the Treasury to purchase silver bullion to the amount of 4,500,000 ounces each month, and to issue Treasury notes in payment for the same. These notes are redeemable in coin, and are legal tender for all debts, public and private, except where otherwise expressly stipulated.

7. National bank notes, issued through the agency of the National Banking System. Five or more persons with a capital stock of $100,000, one-third of which must be invested in government bonds and deposited in the United States Treasury, may organize a national bank, which, in addition to its other banking functions, may issue notes to the amount of ninety per cent of its bond deposit. The government guarantees the payment of the national bank notes; and in case of the failure of the bank, they are paid by the government, which reimburses itself out of the bank's bond deposit. National bank notes are not legal tender.

THE AMOUNT OF MONEY IN CIRCULATION, OCT. 1, 1910.

Gold coin	$598,443,000 00
Standard silver dollars	73,997,961 00
Subsidiary silver	136,497,442 00
Gold certificates	845,965,959 00
Silver certificates	479,418,513 00
Treasury notes of 1890	3,537,225 00
United States notes	341,355,137 00
National bank notes	690,985,364 00

Estimating the population of the United States October 1, 1910, at 90,724,000, the circulation *per capita* is $34.88.

LIST OF PRESIDENTS

Federalist.	1789–1793	George Washington.
	1793–1797	(Re-elected.)
	1797–1801	John Adams.
Democratic-Republican.	1801–1805	Thomas Jefferson (Elected by the House).
	1805–1809	(Re-elected.)
	1809–1813	James Madison.
	1813–1817	(Re-elected.)
	1817–1821	James Monroe.
	1821–1825	(Re-elected.)
	1825–1829	John Quincy Adams (Elected by the House).
Democratic.	1829–1833	Andrew Jackson.
	1833–1837	(Re-elected.)
	1837–1841	Martin Van Buren.
Whig.	1841–1841	William Henry Harrison (Died, 1841).
Democratic.	1841–1845	John Tyler.
	1845–1849	James K. Polk.
Whig.	1849–1850	Zachary Taylor (Died, 1850).
	1850–1853	Millard Fillmore.
Democratic.	1853–1857	Franklin Pierce.
	1857–1861	James Buchanan.
Republican.	1861–1865	Abraham Lincoln.
	1865–1865	Re-elected (Assassinated, 1865).
	1865–1869	Andrew Johnson.
	1869–1873	Ulysses S. Grant.
	1873–1877	(Re-elected.)
	1877–1881	Rutherford B. Hayes.
	1881–1881	James Abram Garfield (Assassinated, 1881).
	1881–1885	Chester A. Arthur.
Democratic.	1885–1889	(Stephen) Grover Cleveland.
Republican.	1889–1893	Benjamin Harrison.
Democratic.	1893–1897	(Stephen) Grover Cleveland.
Republican.	1897–1901	William McKinley (Assassinated, 1901).
	1901–1909	Theodore Roosevelt.
	1909–	William Howard Taft.

SOME REMARKABLE EVENTS

In the History of the United States

1765 First Continental Congress.
1775 Beginning of the Revolutionary War.
1776 Declaration of Independence.
1778 Adoption of the Articles of Confederation.
1781 Articles of Confederation ratified by all the States.
1783 Independence of the United States recognized.
1787 Constitutional Convention at Philadelphia.
1788 Constitution ratified by nine States.
1789 Beginning of the Federal Government.
1793 Opening of new Era in the South by use of Cotton Gin.
1803 Purchase of Louisiana from France.
1807 Successful trip of Fulton's Steamboat on the Hudson.
1812–14 War with England.
1819 Purchase of Florida from Spain.
1819 Steamboats begin to cross the Atlantic.
1820 The Missouri Compromise.
1830 First Passenger Railway opened.
1840 National Nominating Convention regularly established.
1844 First Electric Telegraph in operation.

1845 Admission of Texas to the Union.
1846–48 Mexican War.
1846–48 Discovery of Gold in California.
1857 Dred Scott decision delivered.
1861–65 War of Secession.
1869 First Trans-Continental Railway completed.
1877 Final withdrawal of Federal Troops from the South.
1879 Resumption of Specie Payments.
1889 Meeting of the Pan-American Conference.
1893 World's Fair at Chicago.

QUESTIONS [On Part I.]

1. What is a State?
2. What is the most essential principle of a State?
3. What is the territorial basis of this State? Of the United States?
4. Give some examples of the exercise of sovereignty by this State. By the United States.
5. What is meant by "bond of statehood"?
6. Did the ancient warrior fight for his country, or his clan? Did he have a country?
7. Name two monarchies and two republics.
8. Give some evidences of greater civilization in your own State than in an ancient State.
9. Mention some changes that have tended to make rulers political.

10. Who is your natural ruler?
11. Name some political rulers you have had.

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12. What is government?
13. Who represents you in State government? In national government?
14. Are you governed, in a political sense, wholly by either your State or the United States?
15. Mention some instances in which the national government affects you.
16. Are any of the political offices of this country hereditary?
17. What is suffrage?
18. Do voters receive the right to vote from the State?
19. How many members of your family vote? Why do they not all vote?
20. Is the government of the United States presidential or parliamentary?
21. If you do not know, can you find out whether the people of France elect their president or not?
22. Does the President of the United States have the veto power? Does the president of France?
23. Can you name two instances in which governments have changed from monarchies to republics?

QUESTIONS [On Part II.]

1. Name the "original States."
2. How many States now in the Union.
3. What did the First Continental Congress do?
4. How long after its meeting before the Declaration of Independence?
5. Name some things that led to the separation of the American colonies from England.
6. What was the first notice to the world that a Union of States had formed?
7. In what were the Articles of Confederation defective?
8. How are these defects remedied?
9. Are we governed by two governments, or by two classes of organs constituting a single government?
10. What part does the national government perform? What part the States?
11. From what source did the United States derive its powers of government?
12. For what purpose were these powers granted?
13. What is meant by saying that an act of the national government is unconstitutional? Do you think an act of the British Parliament could be declared unconstitutional?
14. The national government is vested in how many departments? Name them.

15. What are the general functions of the Executive Department?
16. The President and Vice-President —
    (*a*) How nominated?
    (*b*) Describe the Electoral System.
    (*c*) How is the electoral vote counted?
    (*d*) Does the result ever differ from popular vote?
    (*e*) Describe the inauguration of President and Vice-President.
    (*f*) What is the salary of each?
17. In case no candidate has a majority of electoral votes, how are President and Vice-President chosen?
18. In case of death or removal from office of both President and Vice-President, who becomes President? If he should die or be removed, then who?
19. How long would the office be thus filled?
20. Mention some duties of the President?
21. Did you ever read a President's Message? What was it about?
22. What are the official duties of the Vice-President?
23. Name the nine departments and three commissions which perform the executive functions of the national government.
24. Of whom of the heads of these departments does the President's Cabinet consist?

25. To what extent are the members of the Cabinet responsible to the President?
26. What officers of the executive departments are appointed by the President?
27. How are the executive departments organized?
28. What is the salary of each of the heads of these departments?
29. The Department of State —
    (*a*) What functions of government are exercised by this department?
    (*b*) What are the duties of ministers?
    (*c*) What are the duties of consuls?
30. What functions of government are performed by the Department of the Treasury?
31. What is the business of the Department of War?
32. The Department of the Navy has charge of what functions of government?
33. What functions of government come within the Department of the Interior?
34. What is the business of the Department of Justice?
35. Give somewhat fully the business of the Post-office Department.
36. Explain the duties of the Department of Agriculture.
37. What is the business of the Department of Labor?
38. What are the duties of the Inter-State Commerce Commission?

39. Explain the work of the Civil Service Commission.

40. The Fish Commission is engaged in what business?

41. Who has charge of the government printing?

42. How is the Congressional Library supplied with books?

43. For what purpose was the Smithsonian Institution founded?

44. What functions of government are performed by the Judicial Department?

45. Of what does the Judicial Department consist?

46. The Supreme Court —

    (*a*) How many justices?

    (*b*) How often are its sessions?

    (*c*) What can you say of the manner in which decisions are prepared?

    (*d*) To what extent has the business increased?

    (*e*) What are the salaries of the justices?

47. Circuit Courts —

    (*a*) How many circuit court districts are there?

    (*b*) How many circuit courts? How many circuit courts of appeals?

    (*c*) How many judges in each circuit? May a district judge sit in a circuit court?

    (*d*) What is the salary of a circuit judge?

47. Circuit Courts (*continued*) —
    (*e*) What officer prosecutes in the circuit court persons accused of offences against the United States?
48. District Courts —
    (*a*) How many districts are there?
    (*b*) How many district judges?
    (*c*) What is the salary of a district judge?
    (*d*) What officer prosecutes in the district court persons accused of offences against the United States?
49. What officer acts as federal sheriff of circuit and district courts?
50. Are federal judges appointed or elected? How long do they hold office?
51. Upon what questions do the federal courts have jurisdiction?
52. In what matters has the Court of Claims jurisdiction?
53. What other courts administer United States law?
54. United States laws consist of what?
55. What functions of government are performed by the Legislative Department?
56. Of what does the Legislative Department consist?
57. The Senate —
    (*a*) How many senators has each State?

57. The Senate (*continued*) —

(*b*) How are they elected? For how long a term?

(*c*) What part of the Senate is elected anew every two years?

(*d*) What are the requirements of eligibility of a Senator?

(*e*) What annual salary does a Senator receive?

(*f*) How is a vacancy in the Senate filled?

(*g*) What are the officers of the Senate?

(*h*) What can you say of the standing committees of the Senate?

(*i*) What is the business of the Senate?

58. The House of Representatives —

(*a*) Why is the House of Representatives elected anew every two years?

(*b*) What are the qualifications of voters who may take part in the election of Representatives?

(*c*) What salary does a Representative receive?

(*d*) How many Representatives are there? How is the number determined?

(*e*) How is a vacancy in the House of Representatives filled?

(*f*) What are the officers of the House of Representatives?

58. The House of Representatives (*continued*) —
    (*g*) Who is the presiding officer?
    (*h*) What can you say of the committees of the House of Representatives?
59. Explain the time and length of the two sessions of each Congress.
60. What is the usual way in which a bill becomes a law?
61. Can you give the details in the passage of a bill?
62. Is it necessary that a bill should originate in either House?
93. What bill must originate in the House of Representatives?

QUESTIONS [On Part III.]

1. What relation do the States bear to the Union?
2. How does this relation differ from that which the counties of a State bear to the State?
3. Mention some of the powers which the States gave to the Union in adopting the Constitution or being admitted under it.
4. What powers are withheld from the States by the Constitution?
5. Distinguish between the functions of government performed by the nation and those performed by the States.
6. Recite somewhat fully the powers of government which still remain in the States.

7. Mention the institutions of government possessed by each State.
8. How many departments of government has each State?
9. Name the principal officers of the States.
10. Name five officers of your own State.
11. What can you say of the diffusion of executive power of the State?
12. Tell what you can of the term of office, the qualifications, and the salary of the Governor of this State.
13. Mention some of the duties of a Governor.
14. What are the duties of a Lieutenant-Governor? Of the Secretary of State? Of the State Treasurer? Of the Attorney-General? Of the State Auditor? Of the Superintendent of Public Instruction?
15. What other State officers have some States?
16. Is there any connection between State courts and federal courts?
17. On what questions do appeals lie from the State courts to the federal courts?
18. What can you say of the comity of States in the matters of judgments of courts, public acts and records, and in the delivering up to justice of the fugitives charged with crime?
19. Of what do the laws of a State consist?
20. Name the different courts of your own State in order.

21. Supreme Courts —
    (*a*) What jurisdiction have they?
    (*b*) Why have they no juries in some States?
    (*c*) How is evidence in a case tried in a lower court prepared for a Supreme Court?
    (*d*) How often do Supreme Courts usually meet?
22. In what States have Supreme Courts original jurisdiction?
23. What States have courts above their Supreme Courts?
24. What is the usual number of Supreme Judges? How many has your State?
25. How is the Chief Justice determined?
26. How are Supreme Judges elected? What are their salaries?
27. What can you say of the decisions of the Supreme Court?
28. Describe superior courts.
29. Has your State superior courts?
30. What jurisdiction have county courts?
31. Are civil and criminal jurisdiction exercised by different courts?
32. Of what rank are municipal courts?
33. What is the jurisdiction of a justice of the peace?
34. How does the court of a mayor compare with that of a justice of the peace?

35. What courts are in charge of the disposition of the property of deceased persons?
36. How is the Legislative Department of all the States composed?
37. How often does the legislature meet in most States? What is the average length of its sessions?
38. What do you think is the cause of the tendency to limit the number and duration of the sessions of the legislature?
39. Mention some advantages of having two houses of the legislature instead of one.
40. How do the Senate and the House of Representatives compare as to numbers? Why is this?
41. How is the number of Senators and Representatives fixed?
42. What is the number of each in this State?
43. What are the qualifications usually required? What are the salaries?
44. What officers have each house?
45. What can you say of the standing committees of the legislature?
46. How is a vacancy in either house filled?
47. Who would decide an election contest in either house?
48. Do the people ever show a tendency to interfere with the law-making function of the legislature? What do you think causes this feeling?

49. In voting on a bill, how far do you think a Representative should follow his own judgment?

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50. From what State was set apart the territory now occupied as the District of Columbia?
51. On what condition are the arsenals and navy-yards held as territory of the United States?
52. For what purpose are the Territories held?
53. How are governments for Territories formed?
54. What Territorial officers does the President appoint?
55. How are the Territories represented in Congress?
56. What is the law of the Territories?
57. How are local affairs conducted?
58. How many Territories have we now?

QUESTIONS [On Part IV.]

1. In what State were counties first established?
2. What English institution is the prototype of the Virginian county?
3. What is the relative importance of the county and township of Virginia?
4. What is the principal business of the township of Virginia?
5. How is the New England county constituted?
6. From what did the New England county derive its powers?

7. For what purpose were counties first established in Virginia? In New England?
8. To what extent did the Virginian type of county influence the local organization of other States?
9. What may be said of the local organization of the States between Virginia and New England?
10. How many types of local organs does this give us?
11. Do these types extend to other States?
12. Where townships exist, what is the extent of local administration performed by the county?
13. Of what two sets do the officers of the county consist?
14. Name the usual officers of each.
15. What States have boards of commissioners at the head of the administrative affairs of their counties? What States have boards of supervisors?
16. What are the official duties of county commissioners, or boards of supervisors? Of county treasurer? Of county auditor? Of overseers of the poor? Of county surveyor?
17. How are county superintendents of schools usually elected?
18. How are they elected in Pennsylvania and Indiana?

19. In what State are the counties divided into school commissioner districts?
20. In New England, are there any county school officials?
21. What are the three classes of courts held in counties?
22. Which do you think is better, a long or short term for county judges?
23. For how long are judges elected in this county?
24. What are the duties of a sheriff? A county clerk? A coroner? A district attorney?
25. How are the official duties of clerk divided up in Pennsylvania?
26. What officers not mentioned do counties of this State have?
27. How are county officers elected?
28. To what State belongs the credit of first putting into practice county democracy?

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29. What is the local division within the county?
30. What section gave to us the beginning of township organization?
31. Has the township an English prototype? What is its origin?
32. Did the nature of the country have anything to do with the local government of New England?

33. If the people who settled Virginia had settled in New England, and the New England settlers in Virginia, do you think the local government of the two sections would be what it is?

34. If the people of New England were to be deprived of national government, State government, and county government, how would what is left compare with that of Virginia in like circumstances?

35. What functions of local government belong to your county that are performed by the New England town?

36. Can you mention any function performed by your county that could, in your opinion, be better performed by the township?

37. In the New England town, is there anything that you think could be better performed by the county?

38. What are some of the advantages of extensive township organization? Some of the disadvantages?

39. How does the township of New York compare with that of New England? How does the Pennsylvania township compare with that of New York?

40. What can you say of the township of the South?

41. What officers in your township are in charge of the public roads? Of the tax-gathering? Of the schools? Of the local courts?

42. For how long are each elected?

43. From what do American cities derive their corporate powers?
44. What effect has this fact on their uniformity of governmental machinery?
45. In what section of the country do cities have special charters?
46. In what section are they incorporated under a general law and graded into classes?
47. How do modern cities compare with ancient cities as to origin? As to structure? As to rulers? As to business?
48. Mention some things the railway has to do with building modern cities?
49. How has the introduction of machinery into the different industrial enterprises affected the growth of cities?
50. How do you account for the uniformity of foreign cities in governmental machinery? Do they yield to local requirements?
51. Can you name one or more causes which tend to make American cities uniform in government?
52. How is Washington, D.C., governed?
53. Why should Washington be governed in this manner?
54. What is the chief executive officer of cities called?
55. How is the mayor usually elected?
56. How is Sacramento, Cal., governed?

57. Are the executive and legislative functions distinct in city government?
58. What seem to be the growing tendencies as to the official responsibility and length of term of the mayor?
59. How are the judicial functions of cities usually exercised?
60. In what body is the legislative function vested?
61. Does the City Council usually consist of a single or a dual body?
62. Mention some cities governed by a single chamber. Some governed by two bodies.
63. Can you account for the tendency to simplify the legislative machinery in cities?
64. Can you name a city which has a single legislative body? One with two bodies?
65. How are the schools of cities usually controlled?
66. What commissions do cities usually have?
67. How have American cities suffered from their rapid growth?
68. What part of the people of the United States lived in cities a century ago?
69. What part of the entire population now live in urban communities?
70. In what section of the country is city population the densest? Can you account for this?
71. How many cities and towns in the United States with a population (1890) of more than

6,000 inhabitants? How many with a population upward of 10,000? How many above 50,000?

72. How many million-soul cities has the United States? How many has England? China?

73. How do the ten largest cities of the United States compare in aggregate population with the ten largest of England? Of any other country?

74. What are some of the faults of American city government?

75. Are these faults due to bad management or to difficult problems of city government?

76. Mention some difficulties American city governments have to meet which are not experienced by cities of older countries.

77. To what extent should politics be made a part of city affairs?

78. Would you vote for a city official not of your political party?

79. Would you favor frequent changes in city officials?

80. Do you think it best that all city officials should be elective? Why?

81. What are some of the ways in which you would encourage good city government?

82. Name the officials of any city with which you are acquainted?

83. Tell all you can about the manner of their election, their term of office, their salaries, and their duties.

84. Mention any opportunities that may have occurred to you for improvement in city government.

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85. What are urban communities not yet incorporated as cities called?

86. Are they incorporated as towns, villages, or boroughs, by the State?

87. Name as many reasons as you can for incorporating a town of 1,000 inhabitants.

88. How are towns governed?

89. Are the functions of government as fully differentiated in towns as in cities?

90. What body usually exercises both the legislative and the executive functions in town government?

91. What is the chief officer usually at the head of town government?

92. In what section of the United States are city governments organized from the beginning instead of waiting to go through a period of town government?

93. Name the officers of any town government with which you are familiar.

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94. What is the purpose of the Australian ballot?

95. Describe the different forms of ballots in use.

96. Give a description of the polling-places, and mention some advantages the voter has in casting a free and secret ballot.

97. Describe the manner of voting.

98. What State first adopted the Australian ballot? To what extent has the system been adopted in other States?

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99. What is money?

100. How do checks and drafts answer for a medium in many cases?

101. How many kinds of money have we?

102. Describe each kind.

103. What do you know about the "Silver Question"?

CONSTITUTION OF THE UNITED STATES.

We, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

Section 1. — All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sect. 2. — The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed

one for every thirty thousand; but each State shall have at least one representative; and, until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts, eight, Rhode Island and Providence Plantations, one, Connecticut, five, New York, six, New Jersey, four, Pennsylvania, eight, Delaware, one, Maryland, six, Virginia, ten, North Carolina, five, South Carolina, five, and Georgia, three.

When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

SECT. 3. — The Senate of the United States shall be composed of two senators from each State, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class, at the expiration of the fourth year, and of the third class, at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice-President of the United States shall be president of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a pres-

ident *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office as President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECT. 4. — The times, places, and manner of holding elections for senators and representatives shall be prescribed in each State by the legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECT. 5. — Each house shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days,

nor to any other place than that in which the two houses shall be sitting.

SECT. 6. — The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and, for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SECT. 7. — All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of that house, it shall become a law. But, in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the

Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and, before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECT. 8. — The Congress shall have power: —

To lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare, of the United States; but all duties, imposts, and excises shall be uniform throughout the United States:

To borrow money on the credit of the United States:

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes:

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:

To provide for the punishment of counterfeiting the securities and current coin of the United States:

To establish post-offices and post-roads:

To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries:

To constitute tribunals inferior to the Supreme Court:

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

To provide and maintain a navy:

To make rules for the government and regulation of the land and naval forces:

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions:

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress:

To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings: — And,

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

SECT. 9. — The migration or importation of such persons, as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax, or duty, may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation or other direct tax shall be laid, unless in proportion to the census, or enumeration, hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of

another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties, in another.

No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

SECT. 10. — No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION 1. — The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice-President, chosen for the same term, be elected as follows: —

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole

number of senators and representatives to which the State may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one, at least, shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates; and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of them for President; and if no person have a majority, then, from the five highest on the list, the said house shall, in like manner, choose the President. But, in choosing the President, the votes shall be taken by States; the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States; and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But, if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to

the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation: —

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

SECT. 2. — The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint, ambassadors, other public ministers, and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may, by law, vest the ap-

pointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

SECT. 3. — He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

SECT. 4. — The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1. — The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECT. 2. — The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, be-

tween a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects.

In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but, when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECT. 3. — Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION 1. — Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECT. 2. — The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECT. 3. — New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislature of the States concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECT. 4. — The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the appiication of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided, that no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the convention of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth.

In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON, *President,*
and deputy from Virginia.

NEW HAMPSHIRE. — John Langdon, Nicholas Gilman.
MASSACHUSETTS. — Nathaniel Gorham, Rufus King.
CONNECTICUT. — William Samuel Johnson, Roger Sherman.
NEW YORK. — Alexander Hamilton.

NEW JERSEY. — William Livingston, David Brearly, William Patterson, Jonathan Dayton.

PENNSYLVANIA. — Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris.

DELAWARE. — George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom.

MARYLAND. — James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll.

VIRGINIA. — John Blair, James Madison, Jr.

NORTH CAROLINA. —William Blount, Richard Dobbs Spaight, Hugh Williamson.

SOUTH CAROLINA. — John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

GEORGIA. — William Few, Abraham Baldwin.

Attest: WILLIAM JACKSON, *Secretary.*

AMENDMENTS TO THE CONSTITUTION.

ARTICLE I.

CONGRESS shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath and affirmation, and particularly describing the place to be searched, and the person or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the

militia when in actual service in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.

The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate; the president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted: the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But, in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-

President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President: a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

SECTION 1. — Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECT. 2. — Congress shall have power to enforce this Article by appropriate legislation.

ARTICLE XIV.

SECTION 1. — All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SECT. 2. — Representatives shall be apportioned among the several States, according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participatnion in

rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECT. 3. — No person shall be a senator, or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature. or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof: but Congress may, by a vote of two-thirds of each house, remove such disability.

SECT. 4. — The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions, and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States, nor any State, shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

SECT. 5. — The Congress shall have power to enforce by appropriate legislation the provisions of this Article.

ARTICLE XV.

SECTION 1. — The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

SECT. 2. — The Congress shall have power to enforce this Article by appropriate legislation.

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